

House Bill 1160

By: Representative McCall of the 30th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 16-10-6 of the Official Code of Georgia Annotated, relating to the
2 criminal offense of the sale of real or personal property to political subdivisions by local
3 officers or employees and exceptions to the offense, so as to provide for an increase in the
4 value of items that may be sold to state and local agencies, boards, authorities, and other
5 governmental offices by officers or employees in order to make it easier for more rural
6 government offices to make purchases locally; to provide for related matters; to repeal
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Code Section 16-10-6 of the Official Code of Georgia Annotated, relating to the sale of real
11 or personal property to political subdivisions by local officers or employees and exceptions
12 to the criminal offense, is amended by revising subsection (c) as follows:

13 "(c) Subsection (b) of this Code section shall not apply to:

14 (1) Sales of personal property of less than ~~\$200.00~~ \$2,000.00 per calendar quarter;

15 (2) Sales of personal property made pursuant to sealed competitive bids made by the
16 employee, appointed officer, or elected officer, either for himself or herself or on behalf
17 of any business entity; or

18 (3) Sales of real property in which a disclosure has been made:

19 (A) To the judge of the probate court of the county in which the purchasing political
20 subdivision or local authority is wholly included or, if not wholly included in any one
21 county, to the judge of the probate court of any county in which the purchasing political
22 subdivision or local authority is partially included and which shall have been designated
23 by the purchasing political subdivision or local authority to receive such disclosures,
24 provided that if the sale is made by the judge of the probate court, a copy of such
25 disclosure shall also be filed with any superior court judge of the superior court of the
26 county;

27 (B) At least 15 days prior to the date the contract or agreement for such sale will
28 become final and binding on the parties thereto;
29 (C) Which shows that an employee, appointed officer, or elected officer of an
30 employing political subdivision or agency thereof or of an employing local authority
31 has a personal interest in such sale, which interest includes, without being limited to,
32 any commission, fee, profit, or similar benefit and which gives the name of such
33 person, his or her position in the political subdivision or agency or local authority, the
34 purchase price, and location of the property."

35 **SECTION 2.**

36 All laws and parts of laws in conflict with this Act are repealed.